

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

**FRANCIS O. MECOLI, M.D.**

Holder of License No. **21678**  
For the Practice of Allopathic Medicine  
In the State of Arizona.

**Case No. MD-03-0570**

**CONSENT AGREEMENT FOR  
PRACTICE LIMITATION**

**(NON-DISCIPLINARY)**

**CONSENT AGREEMENT**

By mutual agreement and understanding, between the Executive Director of the Arizona Medical Board ("Board") and Francis O. Mecoli, M.D. ("Physician") the parties agree to the following disposition of this matter.

1. Physician acknowledges that he has read and understands this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Consent Agreement"). Physician acknowledges that he understands he has the right to consult with legal counsel regarding this matter and has done so or chooses not to do so.

2. Physician understands that by entering into this Consent Agreement he voluntarily relinquishes any rights to a hearing or judicial review in state or federal court, or to challenge this Consent Agreement in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Consent Agreement.

3. Physician acknowledges and understands that this Consent Agreement is not effective until signed by the Board.


4. All admissions made by Physician are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Physician. Therefore, said admissions by Physician are not intended or made for any other use, such as in the context of another state or federal government.

1 regulatory agency proceeding, civil or criminal court proceeding, in the State of Arizona or  
2 any other state or federal court.

3 5. Physician acknowledges and agrees that upon signing this Consent  
4 Agreement, and returning this document (or a copy thereof) to the Board, Physician may  
5 not revoke acceptance of the Consent Agreement. Physician may not make any  
6 modifications to the Consent Agreement. Any modifications to this Consent Agreement  
7 are ineffective and void unless mutually approved by the parties.

8 6. Physician further understands that this Consent Agreement, once approved  
9 and signed, is a public record that may be publicly disseminated as a formal **non-**  
10 **disciplinary** action of the Board and will be reported to the National Practitioner's Data  
11 Bank and posted on the Arizona Medical Board web site as a **voluntary non-disciplinary**  
12 **action**.

13 7. If any part of the Consent Agreement is later declared void or otherwise  
14 unenforceable, the remainder of the Consent Agreement in its entirety shall remain in  
15 force and effect.

16   
17 \_\_\_\_\_  
18 FRANCIS O. MECOLI, M.D.

Dated: 2-9-05

1 **FINDINGS OF FACT**

2 1. The Board is the duly constituted authority for the regulation and control of  
3 the practice of allopathic medicine in the State of Arizona.

4 2. Physician is the holder of License No. 21678 for the practice of allopathic  
5 medicine in the State of Arizona.

6 3. On July 15, 2003, the Board received statutory notice from The Mayo Clinic  
7 reporting concerns about Physician's ability to safely practice medicine. Physician then  
8 advised the Board that he had a medical condition that has impaired and limited his ability  
9 to safely practice allopathic medicine and that he is currently unable to safely engage in  
10 the practice of allopathic medicine.

11 4. Because Physician has recognized that his medical condition limits his ability  
12 to safely engage in the practice of allopathic medicine, the Board may enter into a consent  
13 agreement to ensure that Physician not practice medicine until he is recovered. A.R.S.  
14 § 32-1451(F); A.A.C. R4-16-409.

15 5. There has been no finding of unprofessional conduct against Physician.

16 **CONCLUSIONS OF LAW**

17 1. The Board possesses jurisdiction over the subject matter hereof and over  
18 Physician.

19 2. The Executive Director may enter into a consent agreement with a physician  
20 to limit or restrict the physician's practice or to rehabilitate the physician, protect the public  
21 and ensure the physician's ability to safely engage in the practice of medicine.  
22 A.R.S. § 32-1451(F); A.A.C. R4-16-409.

23 **ORDER**

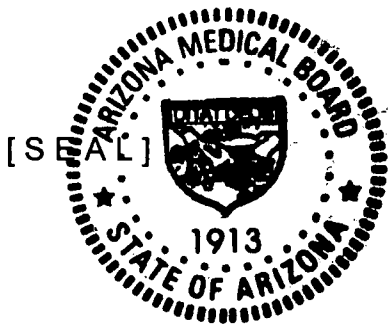
24 IT IS HEREBY ORDERED THAT:

25 1. Physician's practice is limited in that he shall not practice clinical medicine or

1 any medicine involving direct patient care and is prohibited from prescribing any form of  
2 treatment including prescription medications until he applies to the Board and the Board  
3 affirmatively approves his return to the practice of clinical medicine. The Board may  
4 require any combination of staff approved examinations or evaluations it finds necessary  
5 to assist in determining whether Physician is able to safely resume such practice.

6 2. The Board retains jurisdiction and may initiate an action based on any  
7 violation of this Consent Agreement.

8 DATED this 16 day of February, 2005.



ARIZONA MEDICAL BOARD

14 By *T. C. Miller*  
15 TIMOTHY C. MILLER, J.D.,  
16 Executive Director

17 **ORIGINAL** of the foregoing filed this  
18 17<sup>th</sup> day of FEBRUARY, 2005, with:

19 Arizona Medical Board  
20 9545 East Doubletree Ranch Road  
21 Scottsdale, Arizona 85258

22 **EXECUTED COPY** of the foregoing mailed by  
23 Certified Mail this 17<sup>th</sup> day of FEBRUARY, 2005, to:

24 Eleanor L. Miller, Esq.  
25 3610 North 15<sup>th</sup> Ave.  
Phoenix, Arizona 85015

Francis O. Mecoli, M.D.  
(address of record)

*John J. Grogan*